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PAUL ORSHAN, CHRISTOPHER ENDARA, & DAVID HENDERSON
(Additional Counsel Listed in Signature Block)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PAUL ORSHAN, CHRISTOPHER
ENDARA, and DAVID HENDERSON,
individually, and on behalf of all others
similarly situated,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. 5:14-cv-05659-EJD

**NOTICE OF MATTER UNDER
SUBMISSION**

[CIV. L.R. 7-13]

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In addition, there currently is a complaint pending in the Los Angeles County Superior Court (brought by different counsel) that asserts claims and makes allegations that are virtually identical to those here on behalf of a putative class that is subsumed by the putative nationwide class in this case (the “State Action”). *See Jacobson v. Apple Inc.*, L.A. Sup. Ct. Case No. BC586787. Because the Motion in this case has been fully briefed and is pending before this Court, the court in the State Action has stayed all substantive activity in that case, including potential motion practice, pending a ruling by this Court on the Motion. There is a status conference in the State Action scheduled for February 22, 2017 in which the parties in that case are directed to report to the court on the status of the pending Motion in this case.

1 Dated: February 15, 2017

O'MELVENY & MYERS LLP
MATTHEW D. POWERS

2 By: /s/ Matthew D. Powers
3 Matthew D. Powers

4 Attorneys for Defendant
APPLE INC.

5 Dated: February 15, 2017

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